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QUELER, ADAM M				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

Office Action Summary

Application No.

10/730,735

Applicant(s)

MOHAMMED ET AL.

Examiner

ADAM M. QUELER

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-47, 49-71, 73-75, 77-89 and 91-107 is/are pending in the application.
- 4a) Of the above claim(s) 91-107 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-47, 49-71, 73-75 and 77-89 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/05/2009 1/22/10
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment 1/22/2010, and IDS's filed 10/5/2009 and 1/22/2010.
2. Claims 1-13, 15-47, 49-71, 73-75, 77-89 and 91-107 are pending in the case. Claims 1, 15, 49, 73, and 77 are elected independent claims.

Election/Restrictions

3. Claims 91-107 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 8/17/2009.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

5. **Claims 1-9, 49-51, 53-64, 69-71 and 73-75 are rejected under 35 U.S.C. 102(a) as being anticipated by Taymans, Wim, et al, GStreamer Application Development Manual (4/5/2003). GStreamer Core Reference Manual, GstEvent (4/29/2003) is cited as evidence regarding Taymans.**

Regarding independent claim(s) 1, Taymans discloses an a media engine (GStreamer) embodied on the one or more computer-readable media and configured to communicatively interact with an application to present a presentation (p. 5, bullet 2); the media engine being configured to use: one or more media sources individual ones of which serving as a source of media content (source elements, p. 9); one or more transforms communicatively linked with the one or more media sources and configured to operate on data received from the one or more

media sources (filters and codecs, p. 9); and one or more media sinks configured to sink a media stream (sink elements, p. 10).

Taymans discloses the media engine is configured to present a presentation on a first computing device (the device across the network where the file resides) that is remote from a second computing device (the device on which GStreamer resides) on which the media engine resides (httpsrc, p. 34, shows opening a remote presentation, i.e., the presentation is remote from the executing device).

Regarding independent claim(s) 49, Taymans teaches: a system comprising: one or more computer-readable media; a media engine (GStreamer) embodied on the one or more computer-readable media and configured to communicatively interact with an application to present a presentation; the media engine being configured to use a media session (bin, Chapter 9); the media session being configured to use: one or more media sources individual ones of which serving as a source of media content (source elements, p. 9); one or more transforms communicatively linked with the one or more media sources and configured to operate on data received from the one or more media sources (filters and codecs, p. 9); and one or more media sinks configured to sink a media stream (sink elements, p. 10).

Taymans discloses the media engine is configured to present a presentation on a first computing device (the device across the network where the file resides) that is remote from a second computing device (the device on which GStreamer resides) on which the media engine resides (httpsrc, p. 34, shows opening a remote presentation, i.e., the presentation is remote from the executing device).

Regarding independent claim(s) 73, Taymans teaches: a media engine (GStreamer) embodied on the one or more computer-readable media and configured to communicatively interact with an application to present a presentation; the media engine being configured to use a media session(bin, Chapter 9); the media session being configured to use at least one media processor (another bin, p. 23, para. 1), one or more bit pumps communicatively linked with the media processor (pads, Chap. 7), a one or more media sources individual ones of which serving as a source of media content (source elements, p. 9); one or more transforms communicatively linked with the one or more media sources and configured to operate on data received from the one or more media sources (filters and codecs, p. 9); and one or more media sinks configured to sink a media stream (sink elements, p. 10).

Taymans discloses the media engine is configured to present a presentation on a first computing device (the device across the network where the file resides) that is remote from a second computing device (the device on which GStreamer resides) on which the media engine resides (httpsrc, p. 34, shows opening a remote presentation, i.e., the presentation is remote from the executing device).

Regarding dependent claim(s) 2, 50, Taymans discloses media engine exposes an application program interface that is used by an application to interact directly with the media engine, and indirectly with components used by the media engine (this appears to be the entire point of the reference, see pp. 3-6).

Regarding dependent claim(s) 3, 51, Taymans teaches destination associated with the media engine and configured to provide one or more media sinks (sink elements, p. 10).

Regarding dependent claim(s) 4, Taymans teaches the media engine is configured to provide support for both linear (mp3, p.11) and non-linear (AVI, p. 10) media sources.

Regarding dependent claim(s) 5, Taymans teaches the media engine is configured to provide transport control for the media content (p. 34, the httpsrc element handles network streaming which includes transport).

Regarding dependent claim(s) 6, Taymans teaches the media engine is configured to provide for asynchronous building and management of a media pipeline given a source of media content (p. 65, para. 2 in "Creating...").

Regarding dependent claim(s) 7, Taymans teaches the media engine is configured to provide source resolution (p. 57).

Regarding dependent claim(s) 8, Taymans teaches the media engine is configured to provide access to at least some of its used components (p. 7, initializing provides the access).

Regarding dependent claim(s) 9, Taymans teaches the media engine the media engine is configured to enable adjustment of a media processing pipeline configuration (p. 51).

Regarding dependent claim(s) 53, Taymans teaches receive information from the media engine, said information being associated with (a) media content that is to be the subject of a presentation, and (b) a destination that is configured to provide one or more media sinks (capabilities, p. 17), and cause the media content to be presented (p. 23, para. 3)

Regarding dependent claim(s) 54, Taymans teaches the media session is configured to manage data flow from said one or more media sources to said one or more media sinks (p. 23, para. 3).

Regarding dependent claim(s) 55, Taymans teaches media session exposes one or more methods that enable the media engine to configure the media session for a presentation (p. 23, para. 3).

Regarding dependent claim(s) 56, Taymans teaches media session exposes one or more methods that enable the media engine to configure the media session for a presentation, wherein one method comprises a method through which a topology on the media session is initialized (p. 23, para. 3, p. 25).

Regarding dependent claim(s) 57, 71, Taymans teaches media session exposes one or more methods that enable the media engine to configure the media session for a presentation (p. 23, para. 3).

Regarding dependent claim(s) 58, Taymans is configured to provide methods to start, stop and pause a presentation (Chapter 11).

Regarding dependent claim(s) 59, Taymans teaches preroll method that is used by the media engine to notify the media session to prepare for the start of a presentation (ready state, p. 29).

Regarding dependent claim(s) 60, Taymans teaches a plurality of information methods that can be used by the application to obtain information that pertains to the session (p. 11, bottom section).

Regarding dependent claim(s) 61, Taymans comprises a plurality of information methods that can be used by the media engine to obtain information from the media session, wherein one information method enables the media engine to ascertain a globally unique identifier that is associated with a particular implementation of a media session (p. 11, an object can a unique name, and can be accessed as a property).

Regarding dependent claim(s) 62, Taymans teaches one of the information methods enables the application to ascertain multiple capabilities of the session (p. 17).

Regarding dependent claim(s) 63, 64, Taymans teaches to generate (set a state, Chap. 11) and send an event to an engine associated with each of said start, stop and pause methods (p. 47, schedulers monitor the state).

Regarding dependent claim(s) 69, 70, GCRM is cited as evidence that Taymans teaches an event is rate change (p. 5, GST_EVENT_RATE).

Regarding dependent claim(s) 74, Taymans teaches or more bit pumps are configured to pull data from the media processor (pad_pull (), p. 43).

Regarding dependent claim(s) 75, Taymans teaches one or more bit pumps are configured to pull data from the media processor and to push pulled data to one or more media sinks (p. 43).

6. Claims 77-82, 85-86 and 88-89 are rejected under 35 U.S.C. 102(b) as being anticipated by Thompson, Chris, "DirectShow For Media Playback In Windows" Parts 1-3, Last part dated 9/13/2000.

Regarding independent claim(s) 77, Thompson teaches a media engine embodied on the one or more computer-readable media and configured to communicatively interact with an application to present a presentation; the media engine being configured to use: one or more media sources individual ones of which serving as a source of media content (p.2, source filter; one or more transforms communicatively linked with one or more media sources and configured to operate on data received from the one or more media sources (transform filter, p.2); and one or more media sinks configured to sink a media stream (p. 2, render filter); the media engine further

being configured to first partially resolve a topology that is to be utilized to present the presentation (p. 17, create first filters), and then cause a full topology to be resolved and activated (p. 17, render an output pin).

Thompson teaches the media engine is configured to present a presentation on a computing device that is remote from a computing device on which the media engine resides (p. 17, file source is a URL which shows that it is opening a remote presentation, i.e., the presentation is remote from the executing device).

Regarding dependent claim(s) 78, Thompson discloses a session (graph builder, p. 11).

Regarding dependent claim(s) 79, Thompson discloses wherein the media session is configured to fully resolve said partial topology by at least ascertaining transforms that are to be placed between the media sources and the media sinks (p. 9-10).

Regarding dependent claim(s) 80, Thompson discloses wherein the media engine is configured to receive calls from the application and forward the calls to the media session, said calls comprising calls to start, stop and pause the presentation (graph states, pp. 8-9).

Regarding dependent claim(s) 81, Thompson discloses the media session is configured to create a media processor that uses one or more media sources and one or more transforms (the graph, p. 1).

Regarding dependent claim(s) 82, Thompson discloses the media session is configured to create a media processor that uses one or more media sources and one or more transforms, wherein the media session is configured to set a topology on the media processor (pp. 9-10).

Regarding dependent claim(s) 85, Thompson teaches wherein the media session is configured to receive calls from the media processor to at least start, stop and pause the presentation (graph states, pp. 8-9).

Regarding dependent claim(s) 86, Thompson teaches the media session is configured to receive calls from the media processor to at least start, stop and pause the presentation (graph states, pp. 8-9)., wherein the media session is configured to send events to the media engine associated with calls that the media session receives from the media engine (p. 6).

Regarding dependent claim(s) 88, Thompson teaches the media session is configured to validate one or more component that handles data of the presentation (determining the filter can handle the data, pp. 9-10).

Regarding dependent claim(s) 89, Thompson teaches the media engine partially resolves said topology by at least determining one or more media sources and one or more media sinks for the presentation (pp. 9-10).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taymans.

Regarding dependent claim(s) 52, Taymans does not explicitly disclose components that are not visible to the application or media engine. Official Notice is taken that it was well-known for objects such as bins to have private members that are not visible to other objects for the purpose of encapsulation. It would have been obvious to one of ordinary skill in the art at the time of the invention to have such components because it would have enabled good programming by encapsulation.

10. Claim 87 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson.

Regarding dependent claim(s) 87, Thompson does not disclose prerolling. Official Notice is taken that it was well-known to reduce glitches associated with a presentation by prerolling media data samples. It would have been obvious to one of ordinary skill in the art at the time of the invention to preroll as it would reduce glitches.

11. Claims 10-13, 15-22, 22-36, 41, 43 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taymans, and further in view of Blome, Michael et al. "Core Media Technology in Windows XP Empowers You to Create Custom Audio/Video Processing Components" (7/2002). "IFileSourceFilter Interface", hereinafter MSDN, is cited as evidence regarding Blome.

Regarding dependent claim(s) 10-13, Taymans does not expressly disclose the stream selection modes. Blome discloses a media engine with two modes where either the application of the

engine (application or FGM, p. 5, para. 5) selects which media streams (format of the data) are used (§ “The Connection Protocol”, p. 5, specifying which two pins should attempt to connect, they must agree on the media type which is a type of stream). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the stream selection of Blome in Taymans as it would provide flexibility of selection to a similar media engine in Taymans.

Regarding independent claim(s) 15, Taymans discloses a media engine embodied on the one or more computer-readable media and configured to communicatively interact with an application to present a presentation (p. 5, bullet 2); the media engine being configured to use: one or more media sources individual ones of which serving as a source of media content (source elements, p. 9); one or more transforms communicatively linked with the one or more media sources and configured to operate on data received from the one or more media sources (filters and codecs, p. 9); and one or more media sinks configured to sink a media stream (sink elements, p. 10).

Taymans discloses the media engine is configured to present a presentation on a first computing device (the device across the network where the file resides) that is remote from a second computing device (the device on which GStreamer resides) on which the media engine resides (httpsrc, p. 34, shows opening a remote presentation, i.e., the presentation is remote from the executing device).

Taymans does not explicitly disclose a plurality of open methods. Blome discloses a similar media engine that calls a RenderFile method (p. 3, paragraphs describing Figs. 1 and 2). MSDN is cited as evidence that such a call calls one multiple open methods that are part of a media engine that can be called by an application to specify data sources in different manners

(MSDN shows that RenderFile calls Load for a particular type of source filter). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the functionality of RenderFile in Taymans because it packs a lot of functionality into one call (p. 3, para. describing Fig. 2).

Regarding dependent claim(s) 16, 35, GCRM is cited as evidence that Taymans was configured to send events associated with a media presentation to an application (p. 4, description).

Regarding dependent claim(s) 17, 19, 20, 22, Taymans does not explicitly disclose a plurality of open methods. Blome discloses a similar media engine that calls a RenderFile method (p. 3, paragraphs describing Figs. 1 and 2). MSDN is cited as evidence that such a call calls one multiple open methods that are part of a media engine that can be called by an application to specify data sources in different manners (MSDN shows that RenderFile calls Load for a particular type of source filter, including a URL, which is an object that media, which is a bytestream can be obtained by). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the functionality of RenderFile in Taymans because it packs a lot of functionality into one call (p. 3, para. describing Fig. 2).

Regarding dependent claim(s) 18, Taymans does not explicitly disclose a plurality of open methods. Blome discloses a similar media engine that calls a RenderFile method (p. 3, paragraphs describing Figs. 1 and 2). Blome teaches the media source is created by the application (Fig. 4, "pGraph->AddFilter(pCapture, L"CaptureFilter");). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the

functionality of RenderFile in Taymans because it packs a lot of functionality into one call (p. 3, para. describing Fig. 2).

Regarding dependent claim(s) 21, 22, Taymans discloses an open method that specifies a topology to be used (p. 33, "pipeline" is specified in the iterate method).

Regarding dependent claim(s) 23, Taymans is configured to provide methods to start, stop and pause a presentation (Chapter 11).

Regarding dependent claim(s) 24, Taymans teaches to generate (set a state, Chap. 11) and send an event to an application associated with each of said start, stop and pause methods (p. 47, schedulers monitor the state).

Regarding dependent claim(s) 25, Taymans teaches a plurality of information methods that can be used by the application to obtain information that pertains to the presentation (p. 11, bottom section).

Regarding dependent claim(s) 26, Taymans teaches one of the information methods enables the application to be exposed to multiple capabilities of the media engine (p. 17).

Regarding dependent claim(s) 27, Taymans teaches one of the information methods enables the application to ascertain when the system's capabilities change (Chapter 27).

Regarding dependent claim(s) 28, Taymans teaches an information method that enables the application to obtain metadata associated with the presentation (Chapter 11).

Regarding dependent claim(s) 29, Taymans does not teach a property store. Official Notice is taken that a property store was a well-known desired way to exchange metadata. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a property store for that reason.

Regarding dependent claim(s) 30, Taymans teaches one of the information methods enables the application to ascertain a current destination (p. 17, properties of a pad which is a destination).

Regarding dependent claim(s) 31, 32, Taymans teaches one of the information methods enables the application to ascertain statistics associated with the media engine (Chap. 11, states are statistics).

Regarding dependent claim(s) 33, 34, Taymans teaches retrieving a clock (p. 47, bullet 4).

Regarding dependent claim(s) 36, GCRM is cited as evidence that Taymans teaches an event associated with he new presentation (p. 5, GST_EVENT_NEW_MEDIA).

Regarding dependent claim(s) 41, GCRM is cited as evidence that Taymans teaches an event rendering of a last data sample from an active media source (p. 5, GST_EVENT_EOS).

Regarding dependent claim(s) 43, GCRM is cited as evidence that Taymans teaches an event is associated with a switch between presentations (p. 5, GST_EVENT_NEW_MEDIA).

Regarding dependent claim(s) 47, GCRM is cited as evidence that Taymans teaches an event is rate change (p. 5, GST_EVENT_RATE).

12. Claims 37-40, 42 and 44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taymans and Blome as applied to claim 35 above, and further in view of "EvCode.h", hereinafter Smith.

Regarding dependent claim(s) 37, Taymans and Blome do not teach an event associated with a completion of an open method. Smith discloses events for a media engine including an event associated with a completion of an open method (pp. 2-3, EC_OPENING_FILE). It would have

been obvious to one of ordinary skill in the art at the time of the invention to use the events of Smith as it would have provide more control over the presentation.

Regarding dependent claim(s) 38, the above combination does not teach an event is associated with completion of an operation begun by calling a start method on the media engine. Smith discloses events for a media engine including completion of an operation begun by calling a start method on the media engine (p. 3, EC_STREAM_CONTROL_STARTED). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the events of Smith as it would have provide more control over the presentation.

Regarding dependent claim(s) 39, 42, the above combination does not teach an event is associated with completion of an operation begun by calling a stop method on the media engine. Smith discloses events for a media engine including an event associated with completion of an operation begun by calling a stop method on the media engine (p. 3, EC_STREAM_CONTROL_STOPPED). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the events of Smith as it would have provide more control over the presentation.

Regarding dependent claim(s) 40, the above combination does not teach an event is associated with completion of an operation begun by calling a pause method on the media engine. Smith discloses events for a media engine including an event is associated with completion of an operation begun by calling a pause method on the media engine (p. 2, EC_PAUSED). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the events of Smith as it would have provide more control over the presentation.

Regarding dependent claim(s) 44, the above combination does not teach an event is associated with a presentation destination change. Smith discloses events for a media engine including an event is associated with a presentation destination change (p. 3, EC_DISPLAY_CHANGED). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the events of Smith as it would have provide more control over the presentation.

Regarding dependent claim(s) 45, the above combination does not teach an event is associated with a state change on the media engine. Smith discloses events for a media engine including an event is associated with a state change on the media engine (p. 4, EC_STATE_CHANGE). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the events of Smith as it would have provide more control over the presentation.

Regarding dependent claim(s) 46, the above combination does not teach an event is associated with a change in a set of allowed operations on the media engine. Smith discloses events for a media engine including an event is associated with a change in a set of allowed operations on the media engine (p. 4, EC_EXTDEVICE_MODE_CHANGE). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the events of Smith as it would have provide more control over the presentation.

13. Claims 65-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taymans as applied to claim 49 above, and further in view of "EvCode.h", hereinafter Smith.

Regarding dependent claim(s) 65, the above combination does not teach an event is associated with session start. Smith discloses events for a media engine including completion of a session start (p. 3, EC_STREAM_CONTROL_STARTED). It would have been obvious to one of

ordinary skill in the art at the time of the invention to use the events of Smith as it would have provide more control over the presentation.

Regarding dependent claim(s) 66, 67, the above combination does not teach an event is associated with a session stop. Smith discloses events for a media engine including an event associated with a session stop (p. 3, EC_STREAM_CONTROL_STOPPED). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the events of Smith as it would have provide more control over the presentation.

Regarding dependent claim(s) 68, the above combination does not teach an event is associated with a session pause. Smith discloses events for a media engine including an event is associated with a session pause (p. 2, EC_PAUSED). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the events of Smith as it would have provide more control over the presentation.

14. Claims 83 and 84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson as applied to claim 78 above, and further in view of Blome.

Regarding dependent claim(s) 83, Thompson does not disclose time sources. Blome discloses wherein the media session is configured to make determinations as to which time sources are to be used to drive the presentation (p. 6, para, below Fig. 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Thompson and Blome because they dealt with the same engine.

Regarding dependent claim(s) 84, Thompson does not disclose preventing drift. Blome teaches the media session is configured to prevent drift between a rate of media sources and a rate of a time source being used in live scenarios (p. 6, para, below Fig. 7). It would have been

obvious to one of ordinary skill in the art at the time of the invention to combine Thompson and Blome because they dealt with the same engine.

Response to Arguments

15. Applicant's arguments filed 1/22/2009 have been fully considered but they are not persuasive.

16. Regarding Applicant's remarks on para. 7-10: Applicant alleges Taymans does not teach the claim because a file source is not a media engine. It appears that while Applicant and the Office agree as to what the relevant section of Taymans teaches (e.g., a remote source), there is a disagreement as to what the claimed limitation recites. It appears that Applicant intends the claim to recite "... to present a presentation on a first computing device... wherein the first computing device is remote from a second computing device...". However, the plain language of the claim also supports the following interpretation that the Office has relied on: "... to present a presentation on a first computing device... wherein the presentation on a first computing device is remote from a second computing device...". This is interpreted in light of the specification which does recite such a teaching (p. 33, ll. 2-8; PGPUB ¶172).

17. Regarding Applicant's remarks on ¶19-24: Applicant makes a similar argument about Thompson as the remarks on Taymans above. Again, the Office interprets the claim differently, see above.

18. All other remarks rely on the arguments above and are answered accordingly

Conclusion

19. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ADAM M. QUELER whose telephone number is (571)272-4140. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2178

/Adam M Queler/
Primary Examiner
Art Unit 2178